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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,171	11/10/2000	Yitzhak Cohen	U013051-2	4973

140 7590 03/21/2005

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NEW YORK, NY 10023

EXAMINER

PATEL, HARESH N

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/710,171	Applicant(s) COHEN ET AL.	
	Examiner Haresh Patel	Art Unit 2154	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 November 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 31-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 31-53 is/are rejected.
- 7) ☒ Claim(s) 32-34, 36-40, 42-45, 47-53 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. Claims 31-53 are presented for examination. Claims 1-30 have been canceled.

#### ***Response to Arguments***

2. Applicant's arguments filed 12/28/2004 have been fully considered but they are not persuasive. Therefore, rejection of claims 31-53 is maintained.

Applicant argues, (1) "This application originally contained claims 1 -30. Claims 1 -30 have been cancelled without prejudice and new claims 31 -53 have been added. All of the claims overcome the prior art of record". The examiner respectfully disagrees in response to applicant's arguments. Claims 1-30 were rejected under 35 U.S.C 103(a) as being unpatentable over Yanagawa et. al. 5,535,407 (Hereafter Yanagawa) in view of Chen et. al. 6,195,694 (Hereafter Chen), as per paper number 6, dated 1/26/2004. Since, claims 31-53 have been newly added, they are addressed by the new ground(s) of rejection (please refer to the below rejections of this office action). Therefore, the rejection is maintained.

#### ***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. Title should not contain words like, "especially".

The following title is suggested: "A remote system to configure management center of point of sale terminals".

***Claim Objections***

4. Claims 32-34, 36-40, 42-45, 47-53 are objected to because of the following informalities:

Claims 32-34, 40 mention, "A method for configuration of point-of-sale terminals", which is incorrect. It should be "The method for configuring point-of-sale terminals".

Claims 36-39, mention, "A method for configuring point-of-sale terminals", which is incorrect. It should be "The method for configuring point-of-sale terminals".

Claims 42-45, 47-53, mention, "A system for configuring point-of-sale terminals", which is incorrect. It should be "The system for configuring point-of-sale terminals".

Claim 49 is missing "." (period) after "linked files".

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

5. Claims 31- 35, 38-48 and 51-53 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 31, recite the limitations, "said first file", "said second file", "said management center", "said selected application", "said at least one selected point of sale terminal", "said selected at least one selected point-of-sale terminal", "said at least one selected point of sale terminal". There is insufficient antecedent basis for these limitations in the claim. Since,

multiple management center exist in the claim it is not clear which management center is referred by theses limitations.

Claims 32, 34, 38, 39, 43, 45 and 51 recite the limitation, “said management center”. There is insufficient antecedent basis for this limitation in the claim. Since, multiple management center exist in the claim it is not clear which management center is referred by this limitation.

Claims 33, 44, 52 and 53 recite the limitations, “said management center”, “the basis of said parameter structure”. There is insufficient antecedent basis for this limitation in the claim. Since, multiple management center exist in the claim it is not clear which management center is referred by this limitation.

Claim 35 recites the limitations, “said management center”, “said at least one selected point of sale terminal”, “said selected application”, “said selected at least one selected point-of-sale terminal”, “said at least one selected point of sale terminal”. There is insufficient antecedent basis for these limitations in the claim. Since, multiple management center exist in the claim it is not clear which management center is referred by theses limitations.

Claim 40 recites the limitations, “said management center”, “said configuration builder”. There is insufficient antecedent basis for this limitation in the claim. Since, multiple management center exist in the claim it is not clear which management center is referred by these limitations.

Claim 41 recites the limitations, “said first file”, “said second file”, “said at least one selected point of sale terminal”. There is insufficient antecedent basis for these limitations in the claim.

Claims 42 and 47 recite the limitations, “said management center”, “said selected application”, “said selected at least one selected point-of-sale terminal”, “said at least one

selected point of sale terminal". There is insufficient antecedent basis for these limitations in the claim. Since, multiple management center exist in the claim it is not clear which management center is referred by theses limitations.

Claim 46 recite the limitations, "said management center", "said selected application", "said at least one selected point of sale terminal". There is insufficient antecedent basis for these limitations in the claim. Since, multiple management center exist in the claim it is not clear which management center is referred by theses limitations.

Claim 48 recites the limitations, "said at least one selected point of sale terminal". There is insufficient antecedent basis for these limitations in the claim.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 31-33, 38, 39, 41, 43, 44, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keidel et al., Tokheim Corporation, 6,470,288 (Hereinafter Keidel-Tokheim) in view of Paul et al., IBM, 6,466,972 (Hereinafter Paul-IBM) and Swartz et al., U.S. Publication 2001/0015375, Symbol Technologies Inc., (Hereinafter Swartz-Symbol-Tech).

8. As per claims 31, 41, 46, Keidel-Tokheim clearly a method for configuring point-of-sale terminals and at least one management center communicating therewith (e.g., col., 1, line 29 –

col., 2, line 48, figure 2), and a system for configuring point-of-sales terminals (e.g., col., 1, line 29 – col., 2, line 48, figure 2), comprising:

employing a configuration builder (e.g., col., 1, line 29 – col., 2, line 48, figure 2, col., 5, lines 31 – 61),

supplying application to a management center (e.g., col., 1, line 29 – col., 2, line 48),

operating the management center to select the application for at least one selected point-of-sale terminal (e.g., col., 1, line 29 – col., 2, line 48, figure 2),

employing at least one management center receiving an application and software information (e.g., col., 1, line 29 – col., 2, line 48),

supplying the application and information to the at least one selected point of sale terminal (e.g., col., 1, line 29 – col., 2, line 48, figure 2).

However, Keidel-Tokheim does not specifically mention about usage of first and second linked files.

Paul-IBM teaches the well-known concept of using a device to create first and second linked files (e.g., figures 2 and 5, col., 7, line 10 – col., 8, line 41), an application generator utilizing the first file to create an application (e.g., col., 8, lines 5 – 41), supplying the second file to a device (e.g., col., 8, lines 35 – 65), a parameter structure generator utilizing the second file to define a parameter structure which is adapted to the application and linked thereto (e.g., col., 7, line 47 – col., 8, line 64), associating the parameter structure which is adapted to the selected application with the device (e.g., col., 6, lines 26 – 57), employing the parameter structure for setting parameter values suitable for the selected application and the selected device (e.g., figure

3, col., 5, line 33 – col., 6, line 24) , supplying the application and the parameter values to the device (e.g., figure 5, col., 9, line 35 – col., 10, line 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Keidel-Tokheim with the teachings of Paul-IBM in order to facilitate usage of linked files because the linked files would help link the software and the software information for the device. The content of the link files including the parameter structure would help configure device.

However, Keidel-Tokheim and Paul-IBM do not specifically mention about selected point of sale terminal.

Swartz-Symbol-Tech teaches the well-known concept of selected point of sale terminal (e.g., col., 8, paragraphs 48 and 49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Keidel-Tokheim and Paul-IBM with the teachings of Swartz-Symbol-Tech in order to facilitate selection of point of sale terminal because the selection would help know which point of sale terminal needs to be configured among the group of point of sale terminals. Upon selection, the selected point of sale terminal would help know where the configuring information needs to be sent.

9. As per claims 32, 43, Keidel-Tokheim, Paul-IBM and Swartz-Symbol-Tech teach the claimed limitations rejected under claims 31 and 41. Paul-IBM also teaches the device is automatically operative to configure an operator interface (e.g., figure 8).



It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Keidel-Tokheim, Paul-IBM and Swartz-Symbol-Tech in order to facilitate configuring an operator interface because the configuration information would help update the information displayed in the operator interface. The content of the link files including the parameter structure would help configure the device and further help update the information of the operator interface.

10. As per claims 33, 44, Keidel-Tokheim, Paul-IBM and Swartz-Symbol-Tech teach the claimed limitations rejected under claims 31 and 41. Paul-IBM also teaches the device is automatically operative to configure at least one database in the center device (e.g., figure 8).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Keidel-Tokheim, Paul-IBM and Swartz-Symbol-Tech in order to facilitate configuring a database of the central device because the configuration information would help update the information stored in the database of the central device. The content of the link files including the parameter structure would help configure the device and further help update the information in the database of the central device.

11. Claims 34, 40, 42, 45, 47-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keidel-Tokheim, Paul-IBM, Swartz-Symbol-Tech and Goodwin, III, NCR Corporation, 6,520,411 (Hereinafter Goodwin-NCR-Corporation).

12. As per claims 34, 40, 42, 45, 47-53, Keidel-Tokheim, Paul-IBM and Swartz-Symbol-Tech teach the claimed limitations rejected under claims 31, 41 and 46. However, Keidel-

Tokheim, Paul-IBM and Swartz-Symbol-Tech do not specifically mention about reflecting changes made by a software programmer in the application. Goodwin-NCR-Corporation teaches the well-known concept of reflecting changes made by a software programmer in the application (e.g., figures 3 and 6, col., 5, lines 29 – 66).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Keidel-Tokheim, Paul-IBM and Swartz-Symbol-Tech with Goodwin-NCR-Corporation in order to facilitate changes made by a software programmer in the application because the software programmer modified application would help update the configuration information. The configuration information would help update the information stored in the database of the central device. The content of the link files including the parameter structure would help configure the device and further help update the information in the database of the central device.

13. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Keidel-Tokheim in view of Swartz-Symbol-Tech.

14. As per claim 35, Keidel-Tokheim clearly a method for configuring point-of-sale terminals and at least one management center communicating therewith (e.g., col., 1, line 29 – col., 2, line 48, figure 2), and a system for configuring point-of-sales terminals (e.g., col., 1, line 29 – col., 2, line 48, figure 2), comprising:

employing a configuration builder (e.g., col., 1, line 29 – col., 2, line 48, figure 2, col., 5, lines 31 – 61),

supplying application to a management center (e.g., col., 1, line 29 – col., 2, line 48),

operating the management center to select the application for at least one selected point-of-sale terminal (e.g., col., 1, line 29 – col., 2, line 48, figure 2),

employing at least one management center receiving an application and software information (e.g., col., 1, line 29 – col., 2, line 48),

supplying the application and information to the at least one selected point of sale terminal (e.g., col., 1, line 29 – col., 2, line 48, figure 2).

However, Keidel-Tokheim do not specifically mention about selected point of sale terminal.

Swartz-Symbol-Tech teaches the well-known concept of selected point of sale terminal (e.g., col., 8, paragraphs 48 and 49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Keidel-Tokheim with the teachings of Swartz-Symbol-Tech in order to facilitate selection of point of sale terminal because the selection would help know which point of sale terminal needs to be configured among the group of point of sale terminals. Upon selection, the selected point of sale terminal would help know where the configuring information needs to be sent.

15. Claims 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keidel-Tokheim and Swartz-Symbol-Tech in view of Paul-IBM.

16. As per claim 36, Keidel-Tokheim and Swartz-Symbol-Tech teach the claimed limitations rejected under claim 35. However, Keidel-Tokheim and Swartz-Symbol-Tech do not specifically mention about the application is created by utilizing a first of first and second linked

Art Unit: 2154

files. Paul-IBM teaches the well-known concept of the application is created by utilizing a first of first and second linked files (e.g., figures 2 and 5, col., 7, line 10 – col., 8, line 41).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Keidel-Tokheim and Swartz-Symbol-Tech with the teachings of Paul-IBM in order to facilitate creating of the application utilizing a first of first and second linked files because the linked file would help link the software and the software information for the device. The linked software and the software information would help update the information in the device.

17. As per claim 37, Keidel-Tokheim, Swartz-Symbol-Tech and Paul-IBM teach the claimed limitations rejected under claims 35 and 36. Paul-IBM also discloses the parameter structure is defined by utilizing a second of the first and second linked files and is adapted to the application and linked thereto (e.g., col., 7, line 47 – col., 8, line 64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Keidel-Tokheim and Swartz-Symbol-Tech with the teachings of Paul-IBM in order to facilitate the parameter structure defined by utilizing a second of the first and second linked files and which is adapted to the application and linked thereto because the linked file would help link the software and the software information for the device. The content of the link file including the parameter structure would help configure device. The linked software and the software information would help update the information in the device.

18. As per claims 38, Keidel-Tokheim, Swartz-Symbol-Tech and Paul-IBM teach the claimed limitations rejected under claim 35. Paul-IBM also teaches the device is automatically operative to configure an operator interface (e.g., figure 8).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Keidel-Tokheim, Swartz-Symbol-Tech and Paul-IBM in order to facilitate configuring an operator interface because the configuration information would help update the information displayed in the operator interface. The content of the link files including the parameter structure would help configure the device and further help update the information of the operator interface.

19. As per claim 39, Keidel-Tokheim, Swartz-Symbol-Tech and Paul-IBM teach the claimed limitations rejected under claim 35. Paul-IBM also teaches the device is automatically operative to configure at least one database in the center device (e.g., figure 8).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Keidel-Tokheim, Swartz-Symbol-Tech and Paul-IBM in order to facilitate configuring a database of the central device because the configuration information would help update the information stored in the database of the central device. The content of the link files including the parameter structure would help configure the device and further help update the information in the database of the central device.

*Conclusion*

20. The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and not relied upon is considered pertinent to applicant's disclosure.

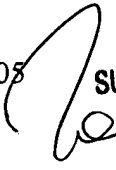
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

March 9, 2005

 **JOHN FOLLANSBEE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**